

**MIDVALE CITY, UTAH
RESOLUTION NO. 2024-R-01**

**A RESOLUTION OF FORMAL ACCEPTANCE AND CONVEYANCE OF PARK AREA
WITHIN JORDAN BLUFFS; MORE SPECIFICALLY, 'PARCEL B' JORDAN BLUFFS
2ND AMENDED SUBDIVISION**

WHEREAS, the Jordan Bluffs 2nd Amended Subdivision was approved by the City Council on November 16th, 2021; and

WHEREAS, the final plat identified a "Parcel B", intended for park and open space purposes; and,

WHEREAS, Section 3.3.1 of the Amended and Restated Master Development Agreement for Jordan Bluffs (MDA) outlines the process for park area construction and conveyance; and,

WHEREAS, staff from the City's Community Development and Public Works Departments have inspected the park area improvements and recommend conveyance to and acceptance by the City; and,

WHEREAS, conveyance documents have been provided per Section 3.3.1 of the MDA, reviewed by City Legal and are found suitable for conveyance.


NOW THEREFORE BE IT RESOLVED, by the City Council of Midvale City, Utah to hereby accept the conveyance of 'Parcel B', Jordan Bluffs 2nd Amended Subdivision and the improvements thereon, and authorize the Mayor to sign the resolution of acceptance, subject to any additional terms and conditions approved by the Midvale City Attorney's Office.

APPROVED AND ADOPTED this 2nd day of January 2024.



Marcus Stevenson, Mayor

ATTEST:



Rori L. Andreason, MMC
City Recorder

Voting by the Council:

Bonnie Billings
Paul Glover
Heidi Robinson
Bryant Brown
Dustin Gettel

"Aye" "Nay"

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7505 S Holden Street
Midvale, UT 84047
801-567-7200
www.MidvaleCity.org

MIDVALE CITY COUNCIL STAFF REPORT 1/2/2024

SUBJECT

Consider Resolution No. 2024-R-01, authorizing the conveyance and acceptance of the Park Area adjacent to Zions Technology Center (Jordan Bluffs).

SUBMITTED BY

Adam Olsen, Community Development Director

BACKGROUND AND OVERVIEW

On November 16, 2021, the Council approved the final plat of Jordan Bluffs 2nd Amended Subdivision. The plat identified "Parcel B" consisting of 4.2 acres. Parcel B, intended for park and open space purpose, has been improved as the first phase of a multi-phase park; ultimately consisting of 15 acres and extending south along the top of the bluff overlooking the Jordan River. Parcel B is fully landscaped and improved, has been inspected by Community Development and Public Works staff, and is recommended for conveyance to the City. Improvements include a children's play area, field area, pickleball court, half basketball court, volleyball court, bbq stands and picnic tables. In addition, a trail connection from the top of the bluff to the Jordan River Parkway Trail has been constructed.

Section 3.3.1, Amended and Restated Master Development Agreement for Jordan Bluffs (MDA), outlines the process for park construction and conveyance, stating in part "the required park improvements shall be completed...in conjunction with the construction of each project phase with frontage adjacent to the central community park"; further stating "the City will accept the required park improvements in phases as the work is completed". This first phase is compliant with Section 3.3.1 of the MDA. Conveyance documents, as well, are provided per Section 3.3.1 of the MDA.

The City's Legal Department reviewed conveyance documents and finds them acceptable. Staff has prepared a resolution for consideration of formal acceptance and conveyance of the park area for the January 2, 2024, Council meeting.

Acceptance of the park area will officially open it for public use.

STAFF RECOMMENDATION

Approval of the resolution authorizing acceptance and conveyance of the Jordan Bluffs Park area.

RECOMMENDED MOTION

I move that we approve Resolution No. 2024-R-01, authorizing the Mayor to formalize the acceptance and conveyance of the Jordan Bluffs Park area.

CITIZEN AGENDA SUMMARY

The resolution of acceptance and conveyance will open the park to public use as it will be City owned and maintained.

ATTACHMENTS

1. Site Plan
2. Landscape Plan
3. Subdivision Plat
4. Title Report
5. Quit Claim Deed
6. Resolution

505 SECOND STREET
4TH FLOOR, STE. 402
SAN FRANCISCO
CALIFORNIA 94107
415.488.2224 TEL.
415.258.9100 FAX
www.vishay-usa.com

ARE SITO Design, Inc.
Landscape Architecture & Architectural Site Design

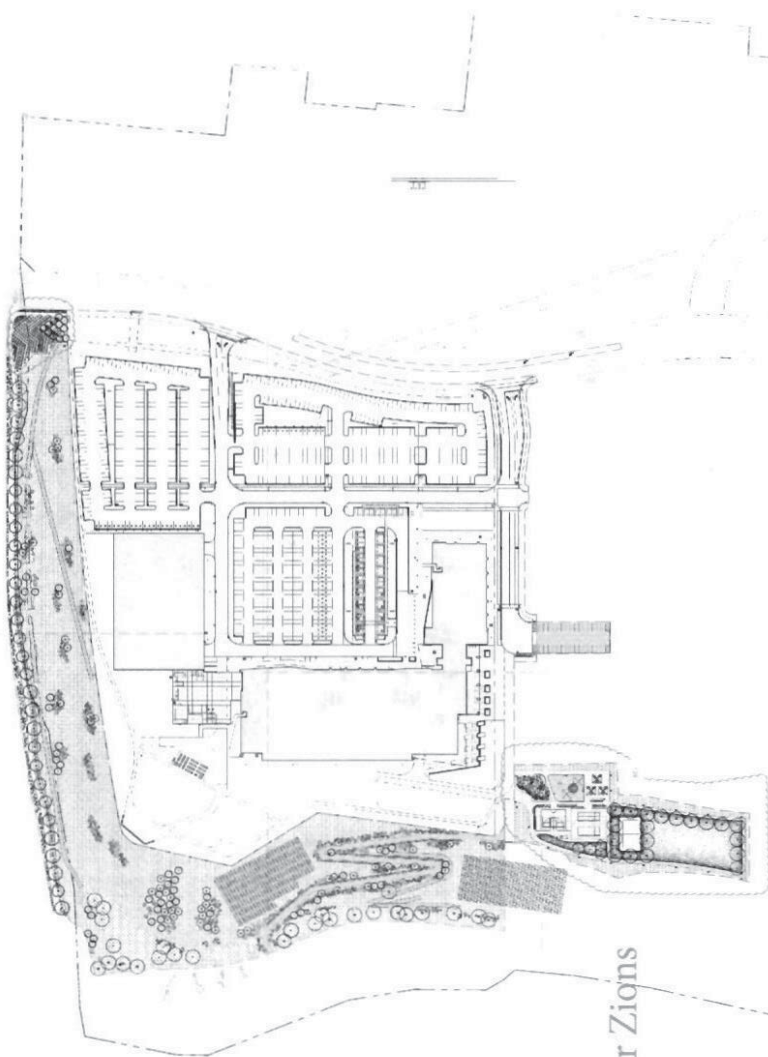
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VIEW 78
PHASE 1 PARK
AND SLOPE

PROJECT NO.: 20002 00
DATE: 12/16/2024
SCALE: 1" = 100'-0"

OVERALL SITE LANDSCAPE
PLAN

SHEET NO. P-L100



Park area near Zions

WRNS STUDIO

1000 W. 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.1111
WWW.WRNSSTUDIO.COM

Site Design, Inc.
Landscape Architecture & Planning
1000 W. 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.1111
WWW.SITEDESIGNINC.COM



DATE	DESCRIPTION
01/15/2020	REVISION 1
01/15/2020	REVISION 2
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VIEW 78 PHASE 1 PARK AND SLOPE

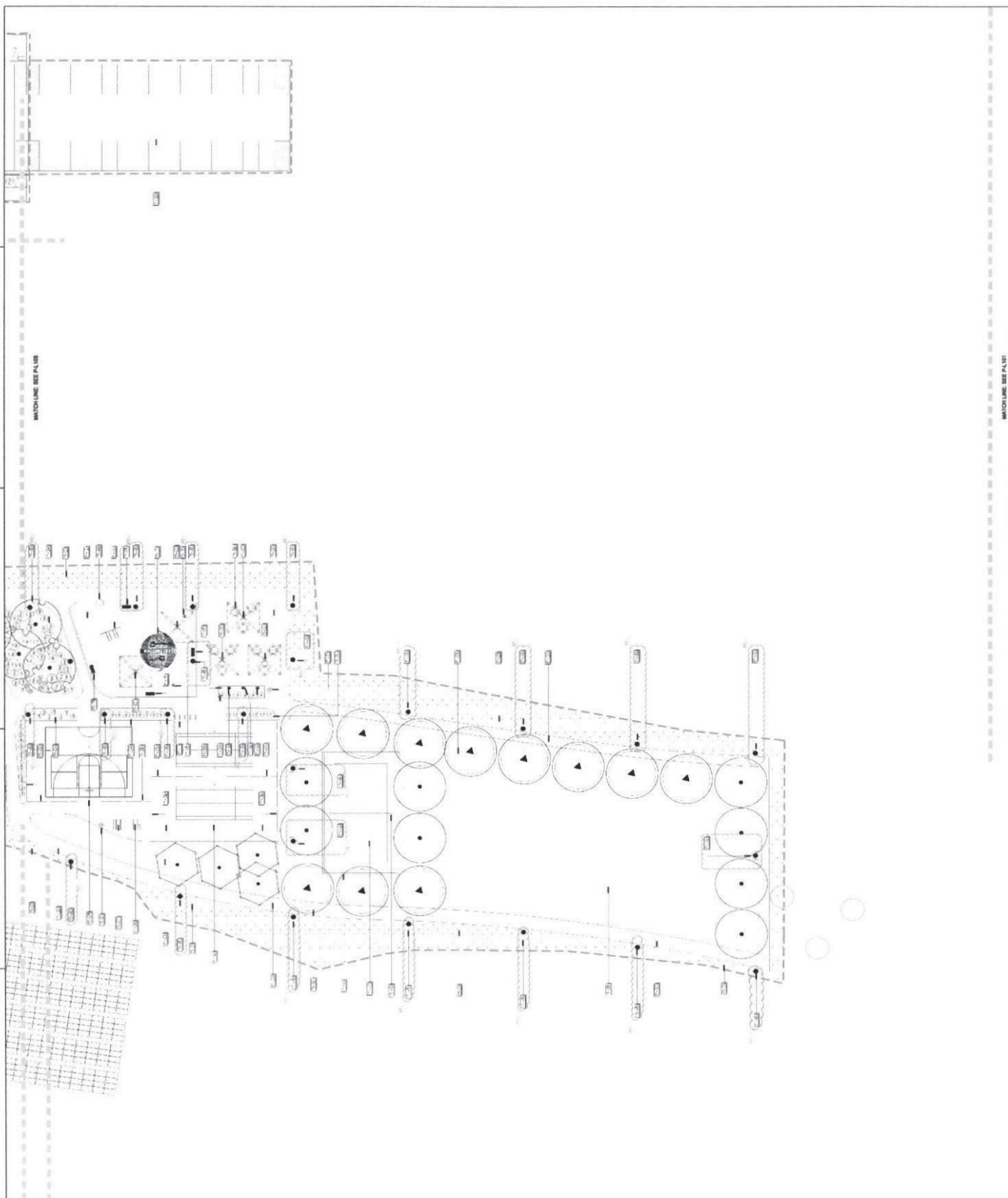
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PROJECT NO. 2000-08
DATE: 01/15/2020
SCALE: 1" = 20'-0"

SHEET TITLE



SHEET NO. P-L102





1996 East 6400 South, Suite 120, Salt Lake City, UT 84121
Phone: 801 277 9999 | Fax: 801 277 1411

REAL PROPERTY TITLE REPORT

NOTICE

At your request, Cottonwood Title Insurance Agency, Inc. ("Cottonwood") has conducted a search of public records and provides the following Report based on that search. **Please note that this Report is NOT: (i) title insurance; (ii) a commitment for title insurance; (iii) an abstract of title; or (iv) a guarantee of the status of title or of any information reflected in this Report.** No representation is made or liability assumed as to the effect, completeness, validity, priority or the accuracy of any disclosure herein or the various documents reported herein. The Report is provided as an accommodation to you for informational purposes only, and any liability of Cottonwood in connection with this Report is strictly limited to the compensation Cottonwood receives from you for issuing the Report.

If you desire title insurance or a guarantee respecting any information reflected in this Report, please notify Cottonwood so that Cottonwood may assist you in obtaining such coverage through one of our title insurance underwriters.

REPORT

File Number: 172435-TOF

1. Effective Date: September 7, 2023 at 7:30AM
2. The estate or interest in the land described or referred to in this Report is Fee Simple and title thereto is at the effective date hereof vested in:
Gardner Jordan Bluffs, L.C., a Utah limited liability company
3. The land referred to in this Report is situated in the County of Salt Lake, State of Utah, and is described as follows:

See Exhibit A attached hereto

NOTE: Parcel Identification Numbers: 21-35-201-015 and 21-35-201-016 (for reference purposes only)

RECORD MATTERS

The search of public records conducted by Cottonwood for this Report did not include a search of the State Construction Registry or any other non-public record sources. Cottonwood makes no representations, and disclaims any liability, concerning the existence or absence of any filings or other information on the State Construction Registry.

The following items of record may affect title to the land:

1. Taxes for the year 2023 are accruing as a lien not yet due and payable under Parcel No. 21-35-201-015. Taxes for the year 2022 have been paid with other land.

Taxes for the year 2023 are accruing as a lien not yet due and payable under Parcel No. 21-35-201-016. Taxes for the year 2022 have been paid with other land.
2. The herein described Land is located within the boundaries of Canyon School District, Unified Fire Services, Central Utah Water Conservancy District, Jordan Valley Water Conservancy District, South Salt Lake Valley Mosquito Abatement District, Jordan Bluffs No. 1 Redevelopment Area, Midvale City, and is subject to any and all charges and assessments levied thereunder.
3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
4. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
5. Partial Consent Decree, by and between The United States of America on behalf of The United States Environmental Protection Agency, Sharon Steel Corporation and the State of Utah as disclosed by an Affidavit recorded October 28, 1991 as Entry No. 5145549 in Book 6369 at Page 2544.

Order Confirming Stipulation and Granting Joint Motion for Modification and Termination of Partial Consent Decree, recorded November 29, 2004 as Entry No. 9233667 in Book 9065 at Page 8302.

Stipulation and Joint Motion for Modification and Termination of Partial Consent Decree, recorded November 29, 2004 as Entry No. 9233668 in Book 9065 at Page 8323.
6. Notice of Adoption by the Midvale City Redevelopment Agency of the Jordan Bluffs Redevelopment Area, recorded September 15, 2004 as Entry No. 9173412 in Book 9037 at Page 7001.

Notice of Adoption by the Redevelopment Agency of Midvale City of the Jordan Bluffs Redevelopment Area, recorded January 24, 2005 as Entry No. 9281048 in Book 9086 at Page 7232.
7. Notice of Institutional Controls by Jordan Bluffs Inc., a Utah corporation and Jordan Bluffs II L.C., a Utah Limited Liability Company, recorded March 21, 2005 as Entry No. 9327848 in Book 9107 at Page 7714.
8. Maintenance Agreement between Wasatch Jordan Bluffs, LLC, a Utah limited liability company and Mountain West Capital Partners, LLC, a Utah limited liability company and Gardner Jordan Bluffs, L.C., a Utah limited liability company, dated November 16, 2017 and recorded November 16, 2017 as Entry No. 12660574 in Book 10620 at Page 4583.

RECORD MATTERS
(CONTINUED)

9. Improvement Agreement by and between Sandy City Corporation, a municipal corporation in the State of Utah and Gardner Jordan Bluffs, L.C., recorded March 11, 2019 as Entry No. 12947548 in Book 10759 at Page 5067.
10. Amended and Restated Master Development Agreement for Jordan Bluffs Project, recorded April 5, 2019 as Entry No. 12963264 in Book 10767 at Page 3334.

First Amendment to Amended and Restated Master Development Agreement for Jordan Bluffs Project, recorded October 5, 2020 as Entry No. 13416441 in Book 11032 at Page 6511.
11. Right of First Refusal Agreement by and between Gardner Jordan Bluffs, L.C., a Utah limited liability company and Wasatch Residential Group, LLC, a Utah limited liability company, dated November 16, 2017 and recorded November 16, 2017 as Entry No. 12660564 in Book 10620 at Page 4487. (covers this and other land)

Partial Termination of Right of First Refusal Agreement recorded May 1, 2020 as Entry No. 13259927 in Book 10937 at Page 5121. (affects a portion of the Land)
12. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Declaration for Jordan Bluffs recorded May 1, 2020 as Entry No. 13259853 in Book 10937 at Page 4548, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.
13. Memorandum of Right of First Refusal recorded May 1, 2020 as Entry No. 13259929 in Book 10937 at Page 5131. (covers this and other land)
14. Development Agreement for the Zions Bancorporation Project by and between Midvale City, a political subdivision of the State of Utah and Zions Center of Excellence, LLC, a Delaware limited liability company, dated August 11, 2020 and recorded August 19, 2020 as Entry No. 13366231 in Book 11002 at Page 1117.
15. Easements, notes and restrictions as shown on the recorded plat for Jordan Bluffs 2nd Amended Subdivision, recorded January 18, 2022 as Entry No. 13871265 in Book 2022P at Page 30.
16. Rights of tenant(s) in the Land, if any, and rights of all parties claiming by, through or under said tenant(s).

NOTE: The following names have been checked for judgments:

Gardner Jordan Bluffs, L.C., a Utah limited liability company

No unsatisfied judgments appear of record in the last eight years except as shown herein.

File Number: 172435-TOF

**EXHIBIT A
LEGAL DESCRIPTION**

All of Parcel B, JORDAN BLUFFS 2ND AMENDED SUBDIVISION, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on January 18, 2022 as Entry No. 13871265 in Book 2022P at Page 30.

AFTER RECORDING RETURN TO

Midvale City Recorder
7505 S Holden Street
Midvale, Utah 84047

QUIT CLAIM DEED

GARDNER JORDAN BLUFFS, L.C., a Utah limited liability company ("Grantor") hereby quit claims to and MIDVALE CITY, a municipal corporation of the State of Utah, whose address is 7505 S Holden Street, Midvale, Utah 84047 ("Grantee"), for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all and any interest of Grantor in the following described real property situated in Salt Lake County, State of Utah, as described herein:

Parcel B, JORDAN BLUFFS 2ND AMENDED SUBDIVISION, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on January 18, 2022, as Entry No. 13871265 in Book 2022P at Page 30.

Tax Parcel Nos. 21-35-201-015-0000 and 21-35-201-016-0000

WITNESS the hand of the GRANTOR this 14th day of February, 202~~3~~⁴.

GARDNER JORDAN BLUFFS, L.C., a Utah
limited liability company, by its Manager

KC GARDNER COMPANY, L.C., a Utah
limited liability company

By: [Signature]
Name: Christian Gardner
Its: Manager

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 14th day of February, 202~~3~~⁴, by Christian Gardner the Manager of KC Gardner Company, L.C., a Utah limited liability company, the Manager of Gardner Jordan Bluffs, L.C.



Chantelle Martin Taylor
Notary Public
Residing at: Utah County
Commission Expires: 08-25-2024

Accepted by Midvale City Council on 1/2, 2024, by Resolution 20 24-R- 01.


Marcus Stevenson, Mayor

ATTEST:


Rori L. Anderson, City Recorder

